

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JAMES MICHAEL PAPAZIAN,

Petitioner,

v.

B.M. TRATE,

Respondent.

1:24-cv-00392-HBK (HC)

ORDER DISREGARDING PETITIONER'S
MOTION FOR EXTENSION OF TIME AND
DENYING MOTION FOR COPIES

(Doc. Nos. 15, 16)

ORDER GRANTING RESPONDENT'S
MOTION FOR EXTENSION OF TIME

(Doc. No. 17)

Petitioner, a federal prisoner proceeding pro se and *in forma pauperis* in this habeas corpus action filed a motion for extension of time and motion for copies on September 9, 2024. (Doc. No. 15, 16). Petitioner requests an extension of time to file a reply to Respondent's response, which he believes is overdue but not yet received due to mail interruption caused by a mailroom clerk's death. (Doc. No. 15). On August 4, 2024, the Court granted Respondent an extension of time until September 10, 2024 to file a response to Petitioner's First Amended Petition. (Doc. No. 14). Further, herein, the Court is granting Respondent a further extension of time until October 3, 2024 to file a response to the First Amended Petition. Thus, Petitioner's reply is not yet due so any request for an extension of time is premature.

In his motion for copies, Petitioner requests a copy of this First Amended Petition with

exhibits. (Doc. No. 16). Neither Petitioner's pro se nor his prisoner status entitle him to receive complimentary copies. *Blair v. CDCR*, 2018 WL 1959532, at *6 n. 2 (E.D. Cal. Apr. 25, 2018). Consistent with statute, the Clerk provides copies of pleadings at \$0.50 per page. *See* 28 U.S.C. § 1914. Checks in the exact amount are payable to "Clerk, USDC." *See also*, April 4, 2024 Notice to Litigant advising of Local Rules and Copy Work. (Doc. No. 3). Petitioner's First Amended Petition (Doc. No. 11) is seventeen (17) pages in length. Thus, to the extent Petitioner wants a copy of the requested document he should forward a check in the amount of \$8.50 to the Clerk.

On September 10, 2024, Respondent requested a further twenty-two (22) day extension of time to file a response to Petitioner's First Amended Petition. (Doc. No. 17). Counsel explains that the documents requested from the Bureau of Prisons to respond to the Petition have not yet been received. (*Id.* at 2, ¶ 3). For good cause shown, the Court will grant Respondent a further extension of time. Fed. R. Civ. P. 6(b)(1)(A).

Accordingly, it is **ORDERED**:

1. Petitioner's Motion for Extension of Time (Doc. No. 15) is DISREGARDED as premature. As directed in the Court's April 25, 2024 Order, if Respondent files an answer to the First Amended Petition, Petitioner may file a reply within thirty (30) days of the date of service of Respondent's answer. If Respondent moves to dismiss the First Amended Petition, Petitioner must file an opposition or statement of non-opposition within twenty-one (21) days of the date of service of Respondent's motion. (*See* Doc. No. 4 at 3, ¶¶ 3-4).
2. Petitioner's Motion for Copies (Doc. No. 16) is DENIED.
3. Respondent's Motion for Extension of Time (Doc. No. 17) is GRANTED. Respondent shall file a response to the First Amended Petitioner no later than October 3, 2024.

Dated: September 10, 2024


 HELENA M. BARCH-KUCHTA
 UNITED STATES MAGISTRATE JUDGE